

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Montgomery County-Nomstown Public Library)	File No. SLD-285801
Norristown, PA)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45 ✓
Universal Service)	
)	
Changes to the Board of Directors of the)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.)	

ORDER

Adopted: February 10, 2003

Released: February 11, 2003

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1 The Telecommunications Access Policy Division has under consideration a Request for Review filed by Montgomery County-Norristown Public Library (Norristown), Norristown, Pennsylvania.¹ Norristown requests review of a decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator)? For the reasons set forth below, we grant the Request for Review and remand to SLD.

2. Norristown seeks discounts for a Cellular Digital Packet Data service, to enable four library bookmobiles to access information resources.³ In its decision, SLD denied Norristown's request for discounts on the grounds that Norristown is seeking **support** for an ineligible service, because the cellular telecommunications service would be used to access an automation system or card **catalog**.⁴ Library Automated Catalogues are not eligible for discounts

¹ Letter from Laurie Tynan, Montgomery County-Norristown Public Library, to Federal Communications Commission, filed July 18, 2002 (Request for Review).

² *Id*

³ *Id*.

⁴ *See* Letter from Schools and Libraries Division, Universal Service Administrative Company, to Laurie Tynan, Montgomery County-Nomistown Public Library, dated June 24, 2002 (Administrator's Decision on Appeal).

under program rules.⁵ Norristown argues that the Cellular Digital Packet Data service, which will be used to enable laptop computers on bookmobiles to access the Internet (in addition to accessing a card catalogue), is eligible under program rules.⁶

3. We find that SLD erred in denying Norristown's request. Cellular Digital Packet Data service, which is a digital transmission service, is eligible for discounts. It is a telecommunications service, irrespective of the fact that it may link to a Library Automated Catalogue, which is not itself eligible for discounts.⁷

4. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed by Montgomery County-Nomstown Public Library, Nomistown, Pennsylvania on July 18, 2002 IS GRANTED. IT IS FURTHER ORDERED that the application for discounts filed by Montgomery County-Nomistown Public Library IS REMANDED to the Schools and Libraries Division of the Universal Service Administrative Company for further review consistent with this Order.

FEDERAL COMMUNICATIONS COMMISSION



Mark G. Seifert
Deputy Chief, Telecommunications Access Policy Division,
Wireline Competition Bureau

⁵ See SLD Eligible Services List, <<http://www.sl.universalservice.org/reference/eligible.asp>> at 12 (stating that Electronic Libraries or On-Line Public Access Catalog Systems that charge a fee for accessing library catalog systems, searching or using references as a part of Internet access are ineligible for discount, and that any software associated with electronic library public access is also ineligible).

⁶ Request for Review at 2.

⁷ See SLD Eligible Services List, <<http://www.sl.universalservice.org/reference/eligible.asp>>